COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS & ENERGY

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| Complaint of MCI WorldCom, Inc. against | ) | |
| New England Telephone and Telegraph Company d/b/a | ) | |
| Bell Atlantic-Massachusetts for breach of | ) | |
| interconnection terms entered into under Section 251 | ) | D.T.E. 97-116 |
| and 252 of the Telecommunications Act of 1996 | ) | |
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**COMMENTS OF RNK, INC. D/B/A RNK TELECOM (“RNK”) ON THE EFFECT OF THE FCC’S ORDER ON REMAND ON THE ISSUE OF RECIPROCAL COMPENSATION FOR ISP-BOUND TRAFFIC IN MASSACHUSETTS**

## INTRODUCTION

RNK, Inc. d/b/a RNK Telecom (“RNK”) is a registered Competitive Local Exchange Carrier (ACLEC@) in the Commonwealth of Massachusetts offering telecommunications services via resale and its own network facilities. Via its own facilities, RNK serves a variety of customers, including Internet Service Providers (“ISPs”), with a variety of telecommunications and non-telecommunications services. Like the vast majority of CLECs, as a relative local exchange newcomer, RNK remains heavily dependent on the “ILEC,” Verizon Communications, Inc. d/b/a Verizon – Massachusetts, f/k/a New England Telephone and Telegraph Company d/b/a Bell Atlantic-Massachusetts (“Verizon” or, where indicated, “then-Bell Atlantic”) for both the wholesale provisioning required to wean itself off interim revenue sources, such as resale of Verizon services, and for the interim revenue due from Verizon for the RNK facilities-based services that it *can* perform with facilities limited by Verizon wholesale provisioning.

RNK, like most CLECs until relatively recently, has operated continuously under "first-generation"[1] interconnection agreements ("ICA") with Verizon pursuant to Section 252 of the Telecommunications Act of 1996 (the "Act").[2] Under these ICAs, RNK provides a variety of services to its own customers and to Verizon, including terminating Verizon's customers' originating traffic to RNK customers, some of which are ISPs. From the time RNK began providing facilities-based services to Verizon and its customers, until February, 1999, as permitted when the Massachusetts Department of Telecommunications and Energy ("DTE" or "Department"), in its May 19, 1999, order[3] in this docket, changed its position in response to the FCC's *Internet Traffic Order,*[4] RNK received compensation from Verizon for performing these services for Verizon's customers.

Since the release of 97-116-C, RNK has continued to perform and bill these services in Massachusetts but has received no compensation for doing so. While continuing to diversify its customer base, RNK has continued to provide these unremunerated services for a few distinct reasons. Relevant to the issue at hand, these reasons include RNK's desire to attract and retain ISPs and other emerging technology companies as customers (who do, incidentally, pay for a wide variety of

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1 For the first couple of years after the passage of the Act, before Verizon conceded in open competition for the emerging internet-based customer market, typical ICAs between CLECs and Verizon did not undertake to differentiate ISP-bound traffic from other traffic using local numbers and, accordingly, reciprocal compensation was billed and, initially, collected for such traffic. At all times relevant to the issue at hand, Verizon and RNK have operated under one of such ICAs (first, the so-called "Brooks" agreement until late 2000 at which time RNK opted into another one of such ICAs, the so-called "MCI" agreement).

2 The Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) (codified at 47 U.S.C. §§ 151, et seq.).

3 MCI WorldCom Technologies, Inc., D.T.E. 97-116-C (1999) ("97-116-C").

4 Implementation of the Local Compensation Provisions in the Telecommunications Act of 1996: Inter-Carrier Compensation for ISP-Bound Traffic, Declaratory Ruling, 14 FCC Rcd 3689 (1999) ("Internet Traffic Order").

telecommunications services), and RNK's rational expectation that, once the Federal Communications Commission ("FCC") had clarified the nature of, and appropriate intercarrier compensation schemes for, ISP-bound traffic, RNK would eventually be able to recoup *something* – hopefully at least its costs -- from other carriers whose customers originate the ISP-bound calls, along with other compensable intercarrier traffic.

RNK suggests that the effect of the recent FCC *Order on Remand*[5] is two-fold: (1) at potentially ends the period of limbo relative to compensation for ISP-bound traffic in Massachusetts,[6] and (2) sets out a recommended course of action for states that have not already established some alternate (to such compensation being subject to the reciprocal compensation provisions of the Act) compensation mechanism for such traffic, and/or for carriers who have not already managed to resolve such intercarrier compensation mechanisms through negotiation.[7] Massachusetts is one of those states, and RNK is one of those carriers.

## I. BOTH THE DTE AND THE FCC HAVE CONSISTENTLY RECOGNIZED THE PROPRIETY OF *SOME* FORM OF COMPENSATION -- UPON THE RESOLUTION BY THE FCC OF A MODE AND RATE OF INTERCARRIER COMPENSATION -- FOR THE COSTS INCURRED TERMINATING ISP-BOUND TRAFFIC

RNK is certain that the Department is amply familiar with the ensuing twists and turns of the

5 Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, CC Docket No. 96-98; Intercarrier Compensation for ISP-Bound Traffic, CC Docket No. 99-68, *Order on Remand and Report and Order* (April 27, 2001) ("*Order on Remand*").

6 In the last order in this docket, the DTE stated that:

> "the Department will be bound by the determinations made by the FCC on remand, whatever those determinations may be. … the Department determines that stability during the *interim* by upholding the finality of D.T.E. 97-116-C … is the better course."

In "97-116-C," the Department had ruled that ISP-bound traffic was not subject to reciprocal compensation under section 252 of the Act, but stated that it should be subject to some form of compensation to be determined.

7 *See, generally, Order on Remand* at ¶¶ 77-88.

instant issue since 1999, and will not review the interrelated procedural histories of the FCC's *Internet Traffic* docket and the instant matter,[8] except to say – as expounded below -- that RNK survived the interim period awaiting the FCC's order on remand precisely because it was *not* established or grown for the purpose of receiving reciprocal compensation for ISP-bound traffic. Yet, and/or consequently, RNK has been waiting for over two years for the DTE or FCC to squarely address this topic and establish *some* sort of fair compensation for all these services past performed and continuing to be performed. Further, as the FCC did not address retroactive compensation, that burden now falls on the DTE.

Neither is RNK going to, here, repeat the old debate around what constitutes a "local call" for the purposes of reciprocal compensation under the Act, nor embark on what promises to be the new debate around what constitutes information access services. Inasmuch as the Department and CLECs have been anticipating one or more definitive national intercarrier compensation schemes and/or the FCC handing down with overarching jurisdiction a definitive mandatory rate scheme, perhaps the new *Order on Remand* falls short of this. The newest FCC order does provide, however, the guidance and insight into both the direction the FCC expects to take nationally, and expects the states to take, towards a bill-and-keep regime.[9] The FCC also does assume its reasonable-rate setting responsibilities.

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8 The *Internet Traffic Order* was subsequently vacated and remanded by the D.C. Circuit Court in Bell Atlantic Telephone Companies v. Federal Communications Commission, 206 F.3d 1, 3 (D.C. Cir. 2000) ("D.C. Circuit Court decision"). Despite pleas from CLECs for the DTE to therefore vacate its 116-C order issued in direct response to the vacated FCC order, the DTE, most recently in this docket in MCI WorldCom Technologies, Inc., D.T.E. 97-116-E (2000), decided it was not required to do so, and restated various policy reasons for forbearing further action in this docket until the FCC acted on remand.

9 For clarity at this juncture, RNK will not speculate on the likely effects or results of the pending stay of this order at the FCC, or the pending appeal(s) of the order.

In doing so, the FCC restates its paramount concerns with regulatory reliability; CLECs' reasonable start-up reliance on existing forms of intercarrier compensation,[10] the requirement that carriers and telecommunications-intensive businesses and their respective customers bear fairly-apportioned financial burdens for all costs associated with providing various interrelated services, and the desirability,[11] in fact necessity, of making regulatory transitions gradually.[12]

This is an opportunity long awaited by the Department and Massachusetts LECs – CLECs and ILECs alike -- to achieve successful resolution to hitherto seemingly competing tasks: market stability, fair compensation (and competition), efficient entry and market cost allocation, and accommodation of new technologies in a technologically neutral regulatory scheme.

### A. In the Course of This Docket, the DTE, While Rejecting the Inclusion of ISP-Bound Traffic Under Section 251(b)(5), Has Propounded the Advent of Other Modes of Compensation for This Traffic

A lot has changed in the telecommunications industry since the DTE released 97-116-C. At the time it issued 97-116-C, the DTE was heated up about what it perceived as a "regulatory anomaly," or "loophole," in allowing reciprocal compensation, as such, for ISP-bound traffic. The Department observed an imbalance in originating and terminating traffic amongst LECs, and the possibility that

10 This would include Massachusetts where many CLECs, including RNK, based their business plans in part under the "old," in fact existing-to-this-day, regime, and where, those entities solely dependent on reciprocal compensation for ISP-bound traffic have ceased to exist or have altered their business plans. Hence, the DTE can be expected to reintroduce some intermediate form of compensation for handling this traffic. Among those CLECs remaining, which terminate ISP-bound traffic as one of many activities, there is still hope for enforcement of interconnection agreement intentions to compensate for that traffic reciprocally, up to the time of the FCC order.

11 "[W]e believe it prudent to avoid a "flash cut" to a new compensation regime that would upset the legitimate business expectations of carriers and their customers." *Order on Remand* at ¶ 77.

12 This "gradual transition" concern was re-emphasized in the FCC's nearly simultaneous order in the matter of access charge reform, which, also exercising the FCC's reasonable-rates authority, gradually ratchets down certain access charges over the course of four years.

businesses, e.g., ISPs, could certify themselves as CLECs for the sole or predominant purpose of receiving reciprocal compensation under Section 251 of the Act. This, combined with the FCC's then-recent rejection – for jurisdiction -- of the "two-call" theory on which the DTE's first 97-116 order had been partially premised, caused the DTE to remove ISP-bound traffic from the category of traffic subject to reciprocal compensation under the Act. The DTE never, however, stated or inferred that this traffic should not be subject to *any* compensation. It posited various mechanisms that might confer compensation,[13] and deferred to the FCC for further or renewed categorization, for the purposes of compensation, of this traffic.

### 1. <u>Contractual Resolutions</u>

The DTE suggested that, in the *interim*, carriers could negotiate rates for compensation for ISP-bound traffic; CLECs could "amend" their interconnection agreements accordingly; CLECs could bring their existing agreements before the Department for arbitration. In practice, however, as both ILECs and CLECs had fully expected at the time of contracting to pay and receive this compensation (and, of course, had in fact paid and received such compensation) under their existing agreements, *under the reciprocal compensation provisions*, the agreements were otherwise silent; there were no distinctions or provisions made for ISP-related traffic; while the local carriers were clearly exchanging this traffic, it then seemed to fall outside local interconnection agreements: there was arguably nothing more to arbitrate,[14] but to amend. Meantime, then-Bell Atlantic had no incentive to negotiate

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13 *See, generally,* D.T.E. 97-116-C, Part IV.B.

14 The DTE had alluded to a proposed inquiry as to the intents of the contracting parties, but that was never pursued by the Department in any investigation on its own initiative. In fact, one CLEC that sought arbitration appears to have been caught in a never-never land between the competing "primary" jurisdictions of the

amendments, except at pittance rates unacceptable to those CLECS still hopeful that the FCC would reverse and/or clarify on remand and reinstate some form of "national" reciprocal compensation for ISP-bound traffic or would, at the least, establish comparable alternative-style national rates on remand no later than the summer of 2000. The CLECs held their breath, and continued to provide the services, to keep their ISP customers.

As the Department is aware, there are CLEC exceptions to this wait-and-see approach taken by most CLECs. The FCC takes notice in its *Order on Remand*[15] of, for example, the Level 3 Communications and SBC Communications ICA, approved by the Department during this "interim" period in Massachusetts, wherein the parties negotiated differentiated and gradually declining rates on compensation. Level 3's willingness to enter into this type of agreement in the "interim" period (rather than "wait and see") was by definition for reasons specific to that carrier's business plan.[16] Nonetheless, it is a practical point of reference for the DTE now, both in the Department's hedged interim reliance on intercarrier negotiation for illumination up to this point, and as the Department may currently seek to implement or universalize a plan for payment for services rendered between 1999 and the FCC order that is consistent with both Department action up to this point and the FCC's new declining-rate scheme.[17]

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Massachusetts DTE (deferring to the FCC) and the Federal District Court for the Commonwealth of Massachusetts in *WorldCom, Inc. v. Bell Atlantic & Commissioners, Mass. DTE,* CA No. 00-CV-11513-RCL; *Global NAPs, Inc. v. Bell Atlantic, Mass. DTE, & Commissioners, Mass. DTE,* CA No. 00-CV-10407-RCL; *Global NAPS, Inc. v. Bell Atlantic, Mass. DTE, & Commissioners, Mass. DTE,* CA No. 00-CV-10502-RCL, 2000 U.S. Dist. (D.Mass. 2000) (deferring to the DTE), pending the outcome at the FCC. That matter was never resolved.

15 *Order on Remand* at ¶ 85, n. 158.

16 The amendment to the Level 3 ICA includes other substantive provisions, i.e., "GRIPs," in trade-off.

17 Such a plan for payment for past services rendered would mitigate judicial scrutiny of 97-166-C now pending

### 2. **Macroeconomic Considerations**

The Department was also concerned in early 1999 that the payment of reciprocal compensation for ISP-bound traffic unjustly enriched the terminating CLECs and the ISPs at the expense of the public interest, in the persons of "regular" telephone customers and Bell Atlantic shareholders.[18] As the Department observed, the rates in effect through reciprocal compensation, relative to the arguably lower termination costs at ISPs relative to termination costs at traditional customer premises, there may have been an imbalance. But, that did and does not change the fact that, while we are still operating under an intercarrier compensation scheme, one carrier pays others for any transport, switching or termination of the first carrier's customers' calls, including the ISP dial-up call. Unless and until Massachusetts or the nation moves to a bill-and-keep system (and, in this context, effectively increase the cost of internet access for the internet user), we are still operating under a "caller pays" system.

An effective subsidy of the ISP-bound caller by non-ISP-bound callers or Bell Atlantic was a failure, not of any "regulatory loophole" (which may have affected the *rate* of "subsidy") but, of Bell Atlantic to properly recoup what remained its own end-to-end costs (*even if* they were "inflated") from its own calling customers. To the extent that it was price ceilings imposed on the ILEC that prevented this recoupment, then the failure was in the price ceiling to disperse emerging originating-caller demands amongst the many. This may have been a debate for another day, and/or may now be moot in light of a

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in federal court; to go forward without remedying in some fashion the past's abrupt suspension of intercarrier compensation for ISP-bound traffic would leave the 97-116-C order entirely more vulnerable under an arbitrariness standard.

18 RNK surmises the any legitimate DTE concern for Bell Atlantic shareholders, as such, could stem only from the DTE's interest in ensuring adequate private investment in public utilities. In the alternative, the DTE's public interest in the ILECs fundamental stability does not seem to be at issue here.

proposed national move to bill-and-keep.

Here, however, it is important to recognize that the existence (as distinct from the rate) of an unanticipated unbalanced profit flow -- with the advent of markedly enhanced and exponentially enhancing services -- away from a traditional provider of traditional regulated utility services does not necessarily reflect any per se market or regulatory distortion. Rather, in this environment, any such cost-revenue back-flow reflects the real fact that the average telephone consumer, with the advent of dial-up internet access, is getting (or can readily get) infinitely more "telecommunications" bang for the very old local service buck. And, eventually, the costs will be borne by end users: either borne by an elite of internet users – if the market splits into internet Haves and Have-Nots – or borne across the industry and consumer base as a whole, as internet access becomes part and parcel of a not-so-distant future digital public utility bundle. Further, when fairly regulated, the premise that some utility customers' prices offset others' is well-established in most state and federal rate-setting and surcharge levies.

The point here is that, in the meantime, some fraction of the dial-up call price should pass through to each LEC that participates to deliver the call to the ISP. The CLECs do not have control over the prices Verizon charges its customers, far and away the majority of the relevant callers (hence, the "problem").

### B. In Its Efforts to Promote "Real" Local Competition, While Eliminating Regulatory Distortions, the DTE Must Exercise Caution Not to Hand an ISP-Service Monopoly Back to Verizon

Since its inception, RNK has endeavored to build a broad-based local network to serve Massachusetts' residential and business consumers with innovative, customer-tailored voice and data solutions in a fast-evolving technological and regulatory market. In reliance upon the Act and its

ICA, RNK has gradually built facilities to serve an ever-broadening customer base with new and resold products and services.

As a local exchange newcomer since the passage of the Act, RNK, of necessity and -- seemingly at the outset – sound business sense, sought out newer markets and customers over which it might successfully compete with then-Bell Atlantic and Verizon. In reliance upon the Act and the parties' ICA, under which RNK and Verizon are still operating, RNK of course viewed one of the opportunities for interim revenue as reciprocal compensation. Reciprocal compensation, including reciprocal compensation for ISP-bound traffic as originally contemplated under the ICA, provided a way for RNK to get paid (by Verizon) for doing some of the "new" work that Massachusetts consumers, largely Verizon customers (paying Verizon), were demanding: terminating calls at ISPs. Accordingly, desiring to compete in and serve emerging markets, RNK invested in infrastructure that would permit it to receive revenue where it could while building, and in order to build, a diversified local exchange network. RNK "specialized," successfully, in "high-tech" environments.

Meantime, as Verizon failed to compete in emerging internet-based markets, it found that the reciprocal compensation for which it had lobbied so heavily was starting to flow away from Verizon, sometimes toward other CLECs – *not including RNK* – that seemed to be focused exclusively on ISP-bound terminating traffic. In the regulatory maelstrom that ensued, Verizon benefited unilaterally from a temporary moratorium in Massachusetts on paying other carriers for performing part of the work for which it was still getting paid by its own customers. Because the market continued, and continues, to be based on "caller pays" customer billing, any CLECs with ISP customers were between a rock and a hard place: between losing their hard-won customers and performing part of Verizon's work for free –

in the interim, until a federal intercarrier compensation scheme that accounted for the many changes in the market since the Act could be developed. No one CLEC could attempt to "bill" their ISP customers for *receiving* calls without risk that the customer would jump to another LEC; no one ISP could attempt to "bill" *their* customers for, essentially, *making* calls because that is what the consumer was paying their originating LEC to do. The Massachusetts CLECs with ISP customers were stuck, pending, according to the DTE, an FCC order on remand.

## II. THE FCC ORDER ON REMAND RESOLVES THE SUBSTANTIVE ISSUES PENDING AT THE DTE WITHIN THE INTERIM MASSACHUSETTS PARADIGM

In April, 2001, the FCC released the *Order on Remand*.[19] Although the *Order on Remand* falls short of mandating a particular national rate scheme, it does set out, both in its rationale and in its regime, certain threshold requirements for an appropriate intercarrier compensation scheme. Without rehashing here the FCC's processes to arrive at its conclusions, RNK highlights certain aspects of the *Order on Remand* that satisfy the situation in Massachusetts.

First, the FCC has assumed prospective jurisdiction over the subject matter pursuant to Section 201 of the Act.[20] Thus, to the extent that the DTE was waiting for the FCC to act on remand, the compensation scheme set forth in this FCC order would be what the FCC would require a state without an existing scheme to institute. Simultaneously, the FCC states that the new order does not "preempt any state commission decision regarding compensation for ISP-bound traffic for the period prior to the

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19 Bell Atlantic Telephone Companies v. Federal Communications Commission, 206 F.3d 1, 3 (D.C. Cir. 2000) ("D.C. Circuit Court decision").

20 "Because we now exercise our authority under section 201 to determine the appropriate intercarrier compensation for ISP-bound traffic, however, state commissions will no longer have the authority to address this issue [prospectively]." *Order on Remand* at ¶ 82.

effective date of the interim regime we adopt here."[21] What Massachusetts has decided is that ISP-bound traffic is not "local" for the purposes of reciprocal compensation; that stands for the moment.[22] Regardless, Massachusetts has not, however, issued an order "regarding compensation," except to say that such compensation is not available under the reciprocal compensation mechanisms of the Act. The DTE has reserved judgment, pending the FCC decision, as to the appropriate mechanism for such compensation.

In this regard, the FCC further clarified that:

> the rates set forth [herein] are *caps* on intercarrier compensation, they have no effect to the extent that states have ordered LECs to exchange ISP-bound traffic either at rates below the caps we adopt here or on a bill and keep basis (or otherwise have not required compensation for this traffic). (Footnote omitted.) … Moreover, those states commission that have concluded that, at least in their states, LECs receive adequate compensation for their own end-users for the transport and termination of ISP-bound traffic and need not rely on intercarrier compensation.[23]

These scenarios described by the FCC, above, together with FCC deference to negotiated agreements between carriers (as discussed above, I.A.1.), now constitute the only exceptions to states' implementation of a compensation regime at (or below) the rates set in the order. In Massachusetts the DTE has not established rates below the cap, nor has it established a bill-and-keep regime. Neither has Massachusetts "otherwise not required compensation for this traffic," as meant here. In context, this "exception" by the FCC refers to "*intercarrier* compensation." The exception is meant to apply in states where these costs are recouped elsewhere, i.e., "from their own end users." Yes, the DTE

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21 *Order on Remand* at ¶ 82.

22 RNK will not address at this time whether or not that order should be overturned or clarified. That issue is, however, currently before the Federal District Court.

23 *Id*. At ¶ 80.

allowed Verizon to withhold payments that might have otherwise been due as reciprocal compensation, all the while emphasizing that alternate methods of intercarrier compensation, e.g., negotiated, should be available. Still, Massachusetts has not "not required [intercarrier] compensation" or mandated a particular alternative. The Massachusetts DTE has thus far always assumed that these costs, at whatever rate, would remain intercarrier; commensurately, the market in Massachusetts does not yet permit recovery of these costs from, in this case, ISPs.

RNK, necessarily reserving judgment on the wisdom of the FCC's movement toward a bill-and-keep regime, would necessarily accept a bill-and-keep eventuality and alertly adjust its contractual arrangements, intercarrier and otherwise, accordingly. From 1999 to the present, however, this has not been possible or even indicated in Massachusetts (or nationally). RNK, like all Massachusetts carriers, has been waiting for the FCC and in turn the DTE to establish an *intercarrier* compensation scheme for this traffic. In Massachusetts, such a scheme should apply from May 1999, through the present (albeit with a point of inflection), until that future date when the national intercarrier compensation regulatory scheme – across the board and not just limited to internet-related services, and hence the open market, moves to bill-and-keep. The Act, and now the FCC, require the DTE to provide a distinct transitional mechanism retroactive to the abrupt cut-off effected by the DTE in 1999.

Any other result would be arbitrary and capricious. The FCC and state and federal authorities that have addressed the issue[24] have emphasized that a regulatory authority cannot just drop carriers

24 *See, e.g.,* Illinois Commerce Commission, Docket No. 97-0404, *Memorandum from the Hearing Examiner to the Commission* (March 6, 1998); Missouri Public Service Commission, Case No. TO-98-278, *In the matter of Conditions and Related Arrangements for Interconnection with Southwestern Bell telephone Company*, Arbitration Order (April 23, 1998); *People of the State of California v. Federal Communications Commission*, 124 F.3d 934 (1997).

and their customers off the edge of the earth by abruptly pulling the rug out from under an existing compensation scheme. RNK believes that the DTE never meant to do this when it suspended compensation for this traffic in 1999 -- except, perhaps, as to any CLECs certifying "solely (or predominantly)" for the purpose of receiving this particular type and rate of compensation. RNK believes the DTE never expected that it would be over two years before an alternate scheme would be established by the FCC. But, finally, the DTE's self-described "interim period" can close.

The DTE's continuing position that ISP-bound traffic is not local and thereby not subject to reciprocal compensation has been shown, for the moment, to be in line with FCC thinking. The DTE's anticipation that such traffic would somehow be subject to particular "advanced services" analyses has been consummated. The new FCC order proposes several components in line with DTE thinking thus far: the requirement for some "non-reciprocal" form of intercarrier compensation for ISP-bound traffic, the rebuttable presumption relative to originating-terminating ratio, the lesser and gradually declining rates approved by the Department in the Level 3 agreement, the eventual elimination of intercarrier-based incentives and disincentives in the marketplace, and the proper regulatory expectations relative to market entry and competition.

## CONCLUSION

For the foregoing reasons, RNK asks the DTE to establish an intercarrier compensation scheme for ISP-bound traffic in Massachusetts from May 1999 until the effective date of the FCC *Order on Remand* and until a future date when the FCC or Massachusetts establish regulatory and/or market mechanisms for recoupment of the attendant costs elsewhere.

Respectfully submitted,
RNK, Inc. d/b/a RNK Telecom,
By one of its attorneys,

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Yvette Bigelow
Counsel